

REMARKS

In the Official Action mailed on **7 March 2007**, the Examiner reviewed claims 1, and 3-16. Claims 12 and 13 were objected to because of informalities. Claims 1, 6, 7, 12 and 13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, and 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman et al. (Foreign Application GB 2367219A hereinafter "Neeman"), in view of Hunt et al (USPN 5,764,235, hereinafter "Hunt"), in view of Jason, Jr. (USPub US2003/0061356, hereinafter "Jason"), in view of Afergan et al (US PGPUB US2004/0010621, hereinafter "Afergan"). Claim 3 were rejected as being unpatentable over Neeman in view of Hunt in view of Jason, Jr. in view of Afergan and further in view of Willes et al (US PGPUB US2005/0120128, hereinafter "Willes"). Claims 7, 8, 12-14, 16, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman, in view of Afergan. Claims 9 and 11 were rejected as being unpatentable over Neeman in view of Afergan and further in view of Port80. Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman, in view of Afergan, in view of Port80 (Non Patent Literature), and further in view of Willes. Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman, in view of Afergan and further in view of Willes. Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Neeman, in view of Afergan and further in view of Hunt.

Claim Objections

Claims 12 and 13 were objected to because of informalities.

Applicant has amended claim 12 to correct a typographical error ("locaton" was amended to "location").

Applicant has amended claim 13 to correct a typographical error ("locationbetween" was amended to "location between").

No new matter has been added.

Rejections under 35 U.S.C. §112

Claims 1, 6, 7, 12 and 13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicant has amended the claims as follows to correct antecedent basis.

No new matter has been added.

Claim 1

Line 11 – “the set of data” was amended to “the requested data”

Line 12 – “the determined bandwidth” was amended to “the identified bandwidth”

Claim 6

Line 14 – “the set of data” was amended to “the requested data”

Line 15 – “the determined bandwidth” was amended to “the identified bandwidth”

Claim 7

Line 7 – “the requested data” was amended to “the set of data”

Line 8 – “the server” was amended to “a server”

Line 9 – “the data” was amended to “the set of data”

Claim 12

Line 9 – “the requested data” was amended to “the set of data”

Line 10 – “the server” was amended to “a server”

Line 11 – “the data” was amended to “the set of data”

Claim 13

Line 9 – “the server” was amended to “a server”

Rejections under 35 U.S.C. §103(a)

Independent claims 1, 6, 7, 12, and 13 were rejected as being unpatentable over Neeman, in view of Hunt, in view of Jason, Jr., in view of Afergan.

Applicant respectfully points out that Afergan discloses transmitting **uncompressed data if the data is cacheable**. If the data is not cacheable (i.e., no-store content) the data is compressed (see Afergan paragraph [0030]).

In contrast, the present invention **compresses data that is cacheable at a higher compression** level than if the data is not cacheable (see page 7, line 25 to page 8, line 3 of the instant application). This is beneficial because caching data that is compressed requires less space to store and reduces the amount of bandwidth used to transfer the data.

There is nothing in the combined invention of Neeman, Hunt, Jason, Jr., and Afergan which suggests compressing the data at a higher level of compression if the data is cacheable.


Accordingly, Applicant has amended claims 1, 6-7, and 12-13 to clarify that the present invention dynamically selects a level of compression to apply to the requested data based on the identified bandwidth and whether the data is cacheable at a location between the server and the client, *wherein if the data is cacheable, a specified compression level, which is higher than a compression level used for data that is not cacheable, is applied*. These amendments find support on page 7, line 25 to page 8, line 3 of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 6-7, and 12-13 as presently amended are in condition for allowance. Applicant also submits that claims 3-5, which depend upon claim 1, claims 8-11, which depend upon claim 7, and claims 14-18, which depend upon claim 13, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date: 8 May 2007

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